

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAILCAR MANAGEMENT, LLC,

Plaintiff,

V.

CEDAR AI, INC., et al.,

Defendants,

V.

GE TRANSPORTATION; and
WABTEC CORPORATION,

Third-Party Defendants.

C21-437 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Defendant Cedar AI, Inc.'s motion, docket no. 32, to keep certain documents under seal or to unseal them, is GRANTED in part and DENIED in part, as follows:

(a) Exhibits E–H to the Declaration of Adrienne McEntee, docket nos. 34, 34-1, 34-2, and 34-3, which are the materials referenced as Exhibits A and B to the Declaration of Joey Evans, docket no. 31-3, Exhibit A to the Declaration of David McCrory, docket no. 31-1, and Exhibit 6 to the Answer, Counterclaims, and Third-Party Complaint, docket no. 31, respectively, shall remain sealed; and

(b) Counsel shall meet and confer and file in the public docket, within fourteen (14) days of the date of this Minute Order, redacted versions of the documents described in Paragraph 1(a), above.

(2) In the future, notwithstanding Local Civil Rule 5(g), counsel are directed to meet and confer before filing documents under seal and, to the extent possible, counsel shall submit, along with any document filed under seal, a stipulation and proposed order reciting the reasons for sealing the document. If counsel cannot reach agreement, then a properly noted motion to seal must be filed contemporaneously with the sealed material. If the party wishing to submit the material is not the party designating the material as confidential, the party wishing to submit the material shall provide reasonable notice to the other party(ies), so that a motion to seal, if necessary, may be prepared and filed by the party designating the material as confidential at the same time as the material is submitted under seal to the Court.

(3) The parties' stipulated motion, docket no. 50, is GRANTED as follows:

(a) In connection with defendant Cedar AI, Inc.'s counterclaims, the deadline for plaintiff to file a responsive pleading or motion is EXTENDED from January 14, 2022, to February 14, 2022;

(b) The parties may agree on a noting date for any responsive motion filed by plaintiff so long as it is on or after the noting date defined in Local Civil Rule 7(d)(3), and any response to and any reply in support of any such motion may be filed in advance of the due dates set forth in Local Civil Rule 7(d)(3), as agreed upon by the parties;

(c) Any responsive motion filed by plaintiff shall not exceed thirty (30) pages in length, any response to such motion shall not exceed thirty (30) pages in length, and any reply in support of such motion shall not exceed fifteen (15) pages in length; and

(d) In light of the recent joinder of third-party defendants, who have not yet appeared in this action, the following deadlines are CONTINUED:

Conference pursuant to Fed. R. Civ. P. 26(f) April 15, 2022

Initial Disclosures pursuant to Fed. R. Civ. P. 26(a) April 29, 2022

Combined Joint Status Report and Discovery Plan April 29, 2022

Counsel are advised that a pending motion to dismiss or other motion concerning the pleadings will not be considered “good cause” to extend the deadlines for conducting a Rule 26(f) conference, exchanging initial disclosures, or submitting a Joint Status Report.

(4) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 27th day of December, 2021.

Ravi Subramanian
Clerk

s/Gail Glass
Deputy Clerk